

that frankly the language should probably read knowingly or intentionally and the answer to your question would be yes. That would be where the mens rea would be created in this provision.

SENATOR CHAMBERS: All right. Now is it necessary for the act to be knowingly and intentionally done?

SENATOR HOHENSTEIN: Under this or the amended, as I understand the amendment that Senator Bernard-Stevens just filed, no. It would be "or".

SENATOR CHAMBERS: Should it be knowingly "and" intentionally done so that there is more than mere knowledge or awareness that the act is done without an intent to do the harm that constitutes the crime? What I'm asking is should it be knowingly and intentionally?

SENATOR HOHENSTEIN: Yeah, I think it probably should be.

SENATOR CHAMBERS: Okay.

SENATOR HOHENSTEIN: And perhaps if you could talk to Senator Bernard-Stevens before that amendment is actually read, maybe that correction could be made.

SENATOR CHAMBERS: Thank you. Senator Bernard-Stevens, I'd like to ask you a question.

SPEAKER BAACK: Senator Bernard-Stevens, he's asking you a question.

SENATOR BERNARD-STEVENS: Senator Chambers, I was on my way to change the "or" to "and".

SENATOR CHAMBERS: Good, thank you. What you would do is change the comma because we're dropping the "or" so it would be knowingly and intentionally and while he does that...

SPEAKER BAACK: One minute.

SENATOR CHAMBERS: ...I have to ask Senator Ashford another question.

SPEAKER BAACK: Senator Ashford.